

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LATACHIANNA JAMES,  
Plaintiffs,

v.

UNITED STATES POSTAL SERVICE, *et*  
*al.*,  
Defendants.

Case No. 2:24-cv-00880-DAD-JDP (PS)

**ORDER TO SHOW CAUSE**

On March 25, 2024, defendant United States filed a motion to dismiss plaintiff's complaint. ECF No. 5. To date, plaintiff has not filed a response to the motion.

Under the court's local rules, a responding party is required to file an opposition or statement of non-opposition to a motion no later than fourteen days after the date it was filed. E.D. Cal. L.R. 230(c). To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 The court will give plaintiff the opportunity to explain why sanctions should not be  
2 imposed for failure to file an opposition or statement of non-opposition to defendant's motion.  
3 Plaintiffs' failure to respond to this order will constitute a failure to comply with a court order and  
4 will result in a recommendation that this action be dismissed.

5 Accordingly, it is hereby ORDERED that:

6 1. The May 9, 2024 hearing on defendant's motion is continued to May 30, 2024, at  
7 10:00 a.m., in Courtroom No. 9.

8 2. By no later than May 16, 2024, plaintiff shall file an opposition or statement of non-  
9 opposition to defendant's motion. *See* ECF No. 5.

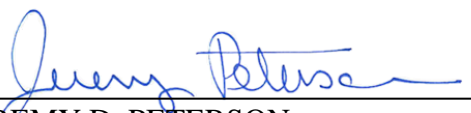
10 3. Plaintiff shall show cause, by no later than May 16, 2024, why sanctions should not be  
11 imposed for failure to timely file an opposition or statement of non-opposition to defendant's  
12 motion.

13 4. Defendant may file a reply to plaintiff's opposition, if any, no later than May 23, 2024.

14 5. Failure to comply with this order may result in a recommendation that this action be  
15 dismissed for lack of prosecution, failure to comply with court orders, and failure to comply with  
16 local rules.

17  
18 IT IS SO ORDERED.

19 Dated: April 29, 2024

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21 JEREMY D. PETERSON  
22 UNITED STATES MAGISTRATE JUDGE  
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